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Safety Net Hospitals for Pharmaceutical Access

February 5, 2007

Melissa Musotto
Office of Strategic Operations and Regulatory Affairs
Division of Regulations Development--A
Centers for Medicare and Medicaid Services
Room C4-26-05
7500 Security Boulevard
Baltimore, MD 21244-1850


Dear Ms. Musotto:

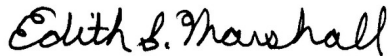
Please find attached comments from Safety Net Hospitals for Pharmaceutical Access (SNHPA) in response to the Notice published in the Federal Register on December 8, 2006, pursuant to the Paper Work Reduction Act, inviting public comment on a proposed data submission requirement that would mandate collection of National Drug Code (NDC) information by State Medicaid agencies with respect to covered outpatient drugs that are "physician administered." (71 Federal Register 71178, 71179 (December 8, 2006)) SNHPA, formerly known as the Public Hospital Pharmacy Coalition (PHPC), is an association of hospitals that qualify as disproportionate share hospitals (DSH) for purposes of Medicare reimbursement, and participate as covered entities under the federal drug discount program established by Section 340B of the Public Health Services Act (the "340B Program").

As the attached comments on the Notice explain, SNHPA and its members believe that the burden associated with the proposed data collection that is the subject of the Notice has been vastly underestimated by CMS, that this burden is significant and excessive, and that the proposed data collection is, at least with respect to hospitals, not only unnecessary but improper.

We appreciate CMS' consideration of SNHPA's attached comments respecting this, in our view, unwise and unjustified data collection proposal.

Sincerely,


William von Oehsen
General Counsel
Safety Net Hospitals for Pharmaceutical Access


Edith Marshall
Special Counsel and Director of Legal Affairs
Safety Net Hospitals for Pharmaceutical Access